IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE THE CHIEF JUSTICE MR.V.K.BALI
&
THE HONOURABLE MR. JUSTICE P.R.RAMAN

MONDAY, THE 22ND JANUARY 2007 / 2ND MAGHA 1928

R.P.No.51 of 2007 IN W.A.NO.701 OF 2006

AGAINST THE JUDGEMENT IN W.A.NO.701/2006 DATED 16/11/2006

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REVIEW PETITIONERS:-

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1. R. ACHUTHAN NAIR, S/O.GOVINDA PILLAI,
   AGED 75, T.C.9/758, SREE NILAYAM,
   SASTHAMANGALAM, TRIVANDRUM.

2. S. LALITHAVATHY AMMA,
   W/O.R. ACHUTHAN NAIR, AGED 71, T.C.9/758,
   SREE NILAYAM, SASTHAMANGALAM, TRIVANDRUM.

BY ADV. SRI.S.SREEKUMAR

RESPONDENTS:-

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1. STATE OF KERALA REPRESENTED BY IT SECRETARY (FINANCE),
   GOVT.SECRETARIAT, TRIVANDRUM.

2. THE DEPUTY TAHASILDAR
   (REVENUE RECOVERY), KERALA FINANCIAL CORPORATION,
   TRIVANDRUM-695 033.

3. KERALA FINANCIAL CORPORATION,
   VELLAYAMBALAM, TRIVANDRUM.

4. M/S.OUR COMPUTERS,
   REPRESENTED BY ITS PROPRIETOR B. REGHU,
   CHANIYIL HOUSE, KULASEKHARAMANGALAM, VAIKOM.

5. C.K. GOPINATH, CHILLEYATH HOUSE,
   EDAVILANG P.O., KODUNGALLOOR-680 671.

6. K.S. UNNIKRISHNAN, KARIMPARAMBIL,
   PERAMBRA P.O., KODAKARA, THRISSUR-680 689.

R1 BY GOVERNMENT PLEADER SRI.T.B.HOOD.
R2 & R3 BY STANDING COUNSEL SRI.L.MOHANAN.
ADV.SMT.VANAJA MADHAVAN

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 22/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:-

V.K.Bali,C.J. & P.R.Raman,J.

R.P.No.51 of 2007 & C.M.Appln.No.24 of 2007 in
W.A.No.701 of 2006

Dated, this the 22nd day of January, 2007

ORDER

Raman,J. (Oral)

Delay condoned.

2. The petitioners filed the writ petition challenging the order refusing One Time Settlement (for short 'OTS') benefit to them. During the pendency of the writ petition, OTS benefits were granted and the learned Single Judge granted time till 30.3.2006 to avail the benefit. The said judgment was challenged in W.A.No.701 of 2006. The Writ Appeal was dismissed by judgment dated 16.11.2006.

3. It is contended in this review petition that while dismissing the Writ Appeal this Court by an inadvertent omission did not extend the time for payment of the balance amount under the OTS Scheme and prays that the time for payment of the balance amount be extended.

4. Heard the parties.

5. In the facts and circumstances of the case and taking into consideration the fact that the learned Single Judge has already granted the benefit of OTS Scheme and the Writ Appeal was pending, it is only appropriate that some time is granted to the review petitioners for payment of the balance amount under the OTS Scheme. Accordingly, we extend the time for payment of whatever remaining balance under the OTS Scheme to be paid within a period of four months from today and in case of failure, it will be open to the authorities to proceed to recover the amount in accordance with law, in which event the petitioners will lose the benefit conferred by the OTS Scheme.

The Review Petition is disposed of as indicated above.

V.K.Bali
Chief Justice

P.R.Raman
Judge

vku/-